

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,	)	
	)	
Plaintiff,	)	<b>ORDER DENYING MOTION</b>
	)	<b>TO RECONSIDER ORDER OF</b>
vs.	)	<b>DETENTION</b>
	)	
Todd Allen Bergeron,	)	Case No.: 1:19-cr-10
	)	
Defendant.	)	

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Before the Court is Defendant's Motion to Reconsider Order of Detention. (Doc. No. 236). Defendant is currently in custody pending sentencing, which is currently scheduled for October 14, 2020. (Doc. Nos. 179, 221). He advises that he has been recommended for inpatient treatment, citing an assessment by Goodman Addiction Services. (Doc. No. 236-1). Defendant states that he has two options for residential treatment, i.e., North Central and Trinity, both of which require in-person evaluations. Defendant further advises that North Central accepts walk-in evaluations Monday through Friday from 8:00 a.m. to 5:00 p.m., and that Trinity does not accept walk-in evaluations but requires individuals to check into the emergency room. He asks to be released to his parents' residence under a condition that he undergo evaluations at both facilities within 48 hours and follow through with residential treatment. The United States filed a response in opposition, stating that neither of these centers are traditionally used by the United States Pretrial Services Office. (Doc. No. 239).

The Court is not convinced that conditions requiring Defendant to undergo evaluations within 48 hours and follow through with any treatment recommendations are sufficient to mitigate the risk of flight and community danger present in this case. As such, this motion (Doc. No. 236) is **DENIED**. However, the Court is in favor of treatment generally. If Defendant were

to submit a motion for furlough providing a detailed plan to temporarily leave detention during the day for evaluation purposes (e.g., for purposes of pursuing a walk-in evaluation at North Central Human Services between 8:00 AM and 5:00 PM, or checking into the emergency room to be evaluated at Trinity), the Court would consider such a request.

**IT IS SO ORDERED.**

Dated this 31st day of August, 2020.

/s/ Clare R. Hochhalter  
Clare R. Hochhalter  
United States Magistrate Judge